

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION.**

**NOTICE OF MOTION No.453/2004.
IN
INCOME TAX APPEAL (LODGING) No.167/2004.**

The Commissioner of Income Tax,
Mumbai City 14 Mumbai.

..Appellant.

Vs.

M/s. Haribhau Jeebhai

..Respondent.

Mr Ashok Kotangale, for the Appellant.

Mr B. V.Jhaveri, for the Respondent.

**CORAM:DR.S. RADHAKRISHNAN
AND V.C. DAGA,JJ.
DATED:17th April, 2007.**

P.C.:-

1. Heard the learned counsel for the
appellant and the learned counsel for the
respondent.

2. Perused affidavit in support of the
Notice of Motion seeking condonation of 70
days delay. Sufficient cause is made out for
condoning delay in filing the above appeal.
There is no case of inaction, negligence or
want of bona fide on the part of the
appellant. Hence, the notice of motion is
made absolute in terms of prayer clause (a).

(V.C. DAGA,J.)

(DR.S. RADHAKRISHNAN,J.)

